

ORIGINAL

CHARFAUROS_A.ter

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Attorneys for United States of America

FILED
DISTRICT COURT OF GUAM

APR 12 2007 *nbo*

MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANNIE MARIE Q. CHARFAUROS,

Defendant,

WENDY'S OLD FASHIONED
HAMBURGERS OF GUAM,

Garnishee.

CRIMINAL CASE NO. 01-00108

**MOTION TO TERMINATE
WRIT OF CONTINUING
GARNISHMENT, TRANSFER
PAYMENTS FROM THE
RESTITUTION FUND TO THE
PENALTY FUND (DEPOSIT
FUND 109900) AND REFUND
OVERPAYMENT**

COMES NOW the United States of America, by and through its undersigned counsel, and respectfully motions this Court to terminate the Writ of Continuing Garnishment against Defendant ANNIE MARIE Q. CHARFAUROS, transfer from the Restitution Fund to the Penalty Fund (fund 109900) and refund the overpaid portion of the restitution imposed against the Defendant in the above entitled action and in support hereof, states as follows:

1. On or about November 29, 2006, a Writ of Continuing Garnishment directed to Garnishee was duly issued and served upon the Garnishee. As set forth in the Writ of Continuing Garnishment, the amount of the debt due totals \$957.64 as of November 20, 2006 (\$325.00 principal + \$220.14 interest to 11/20/2006 + \$412.50 penalty).

1 2. On or about December 15, 2006, Defendant ANNIE MARIE Q. CHARFAUROS
2 made a payment in the amount of \$500.00 which resulted in a balance due of \$458.14 (\$45.64
3 interest + \$412.50 penalty). See Attachment "A."

4 3. Garnishee made payments totaling \$477.83, pursuant to the Writ of Continuing
5 Garnishment, all of which were deposited in the Restitution Fund. See Attachment "B."

6 4. Plaintiff respectfully requests that the Court terminate the Writ of Continuing
7 Garnishment against Defendant ANNIE MARIE Q. CHARFAUROS.

8 5. Plaintiff further requests that the amount of \$412.50 paid by Garnishee and
9 deposited in the Restitution Fund be transferred to the penalty fund (Deposit Fund 109900) in
10 full satisfaction of the penalties imposed against Defendant and the overpaid amount be refunded
11 to Defendant by issuing a check in the amount of \$19.69 to Annie Marie Q. Charfauros and
12 mailing the check to her address as provided by our office. Any future payments made by
13 defendant be refunded to her.

14 RESPECTFULLY SUBMITTED this 11th day of April, 2007.

15
16 LEONARDO M. RAPADAS
17 United States Attorney
18 Districts of Guam and the NMI

19 By: _____

20 MARIVIC P. DAVID
21 Assistant U.S. Attorney
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RECEIPT FOR PAYMENT
DISTRICT COURT OF GUAM
HAGATNA, GUAM

Rcpt#: 30597

Date: 12/15/2006

Time: 2:34:48 PM

Received From:

CHARFAUROS, ANNIE MARIE M.

P.O. BOX 8066

AGAT, GU 96928

CR-01-00108

USA v. Charfauros

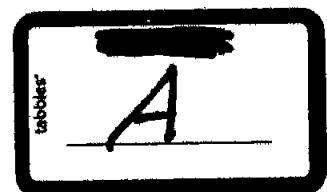
Party: Charfauros, Arlene Marie

Account	Amount
Restitution @1 6855XX	500.00
=====	
TOTAL DUE.....:	500.00
=====	
TENDERED.....:	
Cash.....:	500.00
=====	
TOTAL RECEIVED....:	500.00
=====	
CHANGE DUE.....:	0.00

Checks and drafts are accepted subject
to collection and full credit will only
be given when the check or draft has
been accepted by the financial
institution on which it was drawn.

Deputy
Clerk:

Marilyn B Alzon
Marilyn B Alzon



RECEIPT FOR PAYMENT
DISTRICT COURT OF GUAM
HAGATNA, GUAM

Rcpt#: 31268 Date: 4/5/2007
Time: 12:38:24 PM

Received From:
Sanford Technology Group LLC
335 S. Marine Drive
Tamuning, GU 96913

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CR-01-00108
USA v. Charfauros
Party: CHARFAUROS, ANNIE MARIE Q.

Account	Amount
Restitution @1 6855XX	97.35
=====	
TOTAL DUE.....:	97.35
=====	
TENDERED.....:	
Check.....:	97.35
#00340089 101-511/1214	
=====	
TOTAL RECEIVED....:	97.35
=====	
CHANGE DUE.....:	0.00

Checks and drafts are accepted subject
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been accepted by the financial
institution on which it was drawn.

Deputy
Clerk: Marilyn B. Alcon
Marilyn B. Alcon

RECEIPT FOR PAYMENT
DISTRICT COURT OF GUAM
HAGATNA, GUAM

Rcpt#: 31220 Date: 4/2/2007
Time: 9:56:24 AM

Received From:
Sanford Technology Group LLC
335 S. Marine Drive
Tamuning, GU 96913

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CR-01-00108
USA v. Charfauros
Party: CHARFAUROS, ANNIE MARIE Q.

Account	Amount
Restitution @1 6855XX	380.48
=====	
TOTAL DUE.....:	380.48
=====	
TENDERED.....:	
Check.....:	168.95
#00426627 101-511/1214	
Check.....:	182.13
#00340048 101-511/1214	
Check.....:	189.40
#00340045 101-511/1214	
=====	
TOTAL RECEIVED....:	380.48
=====	
CHANGE DUE.....:	0.00

Checks and drafts are accepted subject
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been accepted by the financial
institution on which it was drawn.

Deputy
Clerk: Marilyn B. Alcon
Marilyn B. Alcon

